

TRANSMITTAL LETTER			Case No. 3086/1435 (NP 4070)
Serial No. 10/700,222	Filing Date November 3, 2003	Examiner Not yet assigned	Group Art Unit 1623
Inventor(s) Haeri Roh-Schmidt et al.			
Title of Invention METHOD OF REDUCING CHOLESTEROL			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a First Supplemental Information Disclosure Statement (in duplicate); Form PTO-1449;
6 Cited References (B9-B13); Return Postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		
Rate	Add'l Fee	
x \$9 =		
x 43 =		
+ \$145 =		
Total add'l fee	\$	

Other Than Small Entity		
Rate	Add'l Fee	
x \$18 =		
x \$86 =		
+ \$290 =		
Total add'l fee	\$	

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

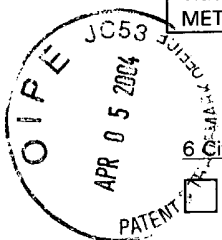
Respectfully submitted,

G. Peter Nichols
G. Peter Nichols
Registration No. 34,401
Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 2, 2004.

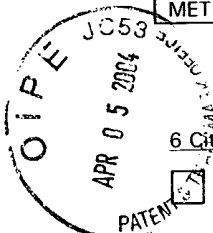
Date: April 2, 2004 Signature: *G. Peter Nichols*



Certificate
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TECH CENTER 1600/2900

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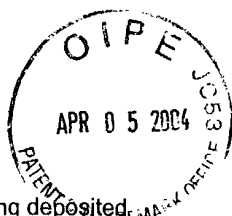
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Attorney for Applicant
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Date: April 2, 2004 Signature:

CERTIFICATE OF MAILING



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April 2, 2004

Date of Deposit

G. Peter Nichols, Reg. No. 34,401

Name of Applicant, Assignee or
Registered Representative

Signature

April 2, 2004

Date of Signature

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APR 15 2004

TECH CENTER 1600/2900

Our Case No.: 3086/1435 (NP 4070)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Haeri Roh-Schmidt et al.

Serial No.: 10/700,222

Filing Date: November 3, 2003

For: METHOD OF REDUCING
CHOLESTEROL

Examiner: Not yet assigned

Group Art Unit No.: 1623

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this First Supplemental Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the relevant listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner. Pursuant to the

waiver of the rules change effective June 30, 2003, Information Disclosure Statements may be filed without copies of U.S. patents and U.S. published applications for applications filed after June 30, 2003, (see 37 CFR 1.98 (a) (2) (i)). Copies of U.S. patent documents are not required and therefore are not being submitted herewith inasmuch as the captioned application was filed in the USPTO after June 30, 2003.

Pursuant to the undersigned attorney's obligation and duties under 37 C.F.R. §§ 1.56 and 1.98(a)(3) and (c), an English language abstract for Japanese Patent No. 10-36260 A2, which is not in English, is included for the express purpose of providing a concise explanation of the references to the Patent and Trademark Office with the opportunity to evaluate the same.

The references now cited are the following:

U.S. Patent Documents

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	PATENTEE
4,315,036	02/1982	Husaini et al.
5,198,259	03/1993	Hoogstad
5,532,012	07/1996	Balentine et al.
5,804,567	09/1998	Cheng et al.
6,096,359	08/2000	Bombardelli et al.
6,214,868 B1	04/2001	Ahn et al.
6,261,565 B1	07/2001	Empie et al.
6,391,308 B1	05/2002	Empie et al.

Foreign Patent Documents

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
EP 0 891 973 B1	10/2001	Europe
WO 01/93886 A1	12/2001	WIPO
WO 03/045328 A2	06/2003	WIPO

Other Art Documents

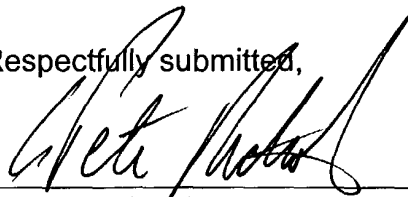
OTHER ART – NON PATENT LITERATURE DOCUMENTS
(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.
Entrez – PubMed Abstract of: Muramatsu et al, "Effect of green tea catechins on plasma cholesterol level in cholesterol-fed rats", <i>J. Nutr Sci Vitaminol</i> (Tokyo), December 1986, 32(6), pp. 613-22, obtained at the internet address < http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?cmd=Retrieve&db=PubMed&list_uids=3585557&do... >, October 1, 2002.
Ikeda et al., "Tea catechins decrease micellar solubility and intestinal absorption of cholesterol in rats", <i>Biochemica et Biophysica Acta</i> , 1127 (1992) pp. 141-146.

In accordance with 37 C.F.R. § 1.97(g),(h), this First Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This First Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this First Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,


G. Peter Nichols
Registration No. 34,401
Attorney for Applicant(s)

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P.O. Box 10395
Chicago, IL 60610
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.